

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ALLEGHENY COUNTY EMPLOYEES'  
RETIREMENT SYSTEM, *et al.***

**v.**

**ENERGY TRANSFER LP, *et al.***

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**CIVIL ACTION NO. 20-200**

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**ORDER**

This 23<sup>rd</sup> day of August, 2022, it is hereby **ORDERED** that Plaintiffs' Motion for Class Certification and Appointment of Class Representatives and Class Counsel is **GRANTED** in part and **DENIED** in part. It is further **ORDERED** that:

1. The Class is certified pursuant to Rules 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure and defined as follows:

All persons who purchased or otherwise acquired common units of Energy Transfer LP between February 25, 2017, and **November 11, 2019**, inclusive (the "Class Period"). Excluded from the Class are (i) Energy Transfer; (ii) any directors and officers of Energy Transfer during the Class Period and members of the immediate families; (iii) the subsidiaries, parents and affiliates of Energy Transfer; (iv) any firm, trust, corporation or other entity in which Energy Transfer has or had a controlling interest; and (v) the legal representatives, heirs, successors and assign of any such excluded party.

2. The Class is certified as to claims deriving from misrepresentations linked to corrective disclosures made in August 2018, October 2018, December 2018, and November 2019, as identified by the parties and discussed in the Memorandum that accompanies this Order, for which predominance has been shown as required by Rule 23(b)(3).

3. The Class is not certified as to claims deriving from misrepresentations linked to corrective disclosures made in August 2019 and December 2019, as identified by the parties and discussed in the Memorandum that accompanies this Order, for which predominance has not been shown as required by Rule 23(b)(3).

4. Lead Plaintiffs are appointed Class Representatives of the Class pursuant to Rules 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure; and

5. Lead Counsel, Barrack Rodos & Bacine and Bernstein Litowitz Berger & Grossmann LLP, are appointed as Class Counsel, pursuant to Rule 23(g) of the Federal Rules of Civil Procedure.

/s/ Gerald Austin McHugh  
United States District Judge